

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE GPC BIOTECH AG SECURITIES  
LITIGATION

Civil Action No.: 1:07-cv-06728 (DC)

**MOTION TO ADMIT COUNSEL PRO HAC VICE**

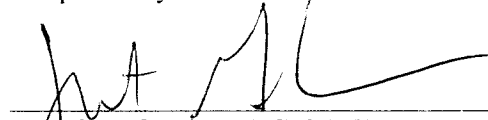
PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, Jonathan Gardner, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission pro hac vice of

Mark S. Goldman  
Of Counsel  
Labaton Sucharow LLP  
140 Broadway  
New York, NY 10005  
Phone: (212) 907-0700  
Fax: (212) 818-0477

Mark S. Goldman is a member in good standing of the Bar of the Commonwealth of Pennsylvania. Attached hereto is a Certificate of Good Standing from the Supreme Court of Pennsylvania, dated August 18, 2008. There are no pending disciplinary proceedings against Mark S. Goldman in any State or Federal court.

Dated: New York, New York  
September 12, 2008

Respectfully submitted,



Jonathan Gardner (JG-8512)  
LABATON SUCHAROW LLP  
140 Broadway  
New York, New York 10005  
Tel: (212) 907-0700  
Fax: (212) 818-0477

*Counsel for Lead Plaintiff Axxion S.A.  
Luxemburg and Lead Counsel for the Class*

FILED  
U.S. DISTRICT COURT  
2008 SEP 12 PM 2:31  
S.D. OF N.Y.

SEP 12 2008



Supreme Court of Pennsylvania

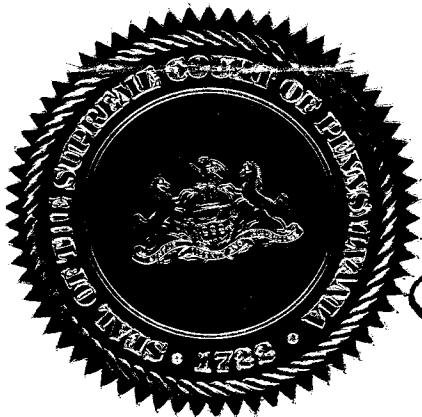
**CERTIFICATE OF GOOD STANDING**

***Mark S. Goldman, Esq.***

**DATE OF ADMISSION**

***December 15, 1986***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: August 18, 2008**

A handwritten signature in black ink, reading "John W. Person, Jr.", written over a horizontal line.

John W. Person, Jr., Esq.

Deputy Prothonotary

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE GPC BIOTECH AG SECURITIES  
LITIGATION  
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x

Civil Action No.: 1:07-cv-06728 (DC)

**AFFIDAVIT OF JONATHAN GARDNER IN SUPPORT OF  
MOTION TO ADMIT COUNSEL PRO HAC VICE**

State of New York     )  
                              )     ss:  
County of New York    )

JONATHAN GARDNER, being duly sworn, hereby deposes and says as follows:

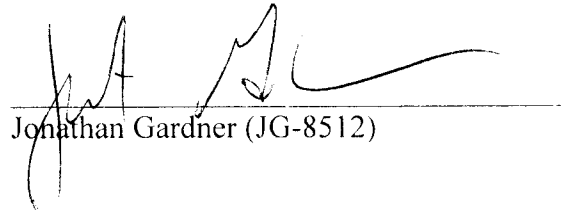
1. I am Of Counsel to the firm of Labaton Sucharow LLP, counsel for Lead Plaintiff Axxion S.A. Luxemburg and Lead Counsel for the Class in the above captioned consolidated action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Lead Plaintiffs' motion to admit Mark S. Goldman as counsel pro hac vice to represent Lead Plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on January 30, 1991. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Mark S. Goldman since August 2007.
4. Mark S. Goldman is Of Counsel to the law firm of Labaton Sucharow LLP, counsel for Lead Plaintiff Axxion S.A. Luxemburg and Lead Counsel for the Class in the above captioned consolidated action.

5. I have found Mark S. Goldman to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I hereby move the admission of Mark S. Goldman, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Mark S. Goldman, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion to admit Mark S. Goldman, pro hac vice, to represent Lead Plaintiffs and the proposed class in the above captioned matter, be granted.

Dated: New York, New York  
September 12, 2008

Respectfully submitted,

  
Jonathan Gardner (JG-8512)

Sworn to before me this  
12<sup>th</sup> day of September, 2008.

  
Notary Public

**Yee Wai Chan**  
**Notary Public, State of New York**  
No. 01CH6068383  
Qualified in Queens County  
Commission Expires Dec. 31, 2009

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE GPC BIOTECH AG SECURITIES	:	Civil Action No.: 1:07-cv-06728 (DC)
LITIGATION	:	
	:	
_____	x	

**ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION**

Upon the motion of Jonathan Gardner, attorney for Lead Plaintiffs and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Mark S. Goldman  
Of Counsel  
Labaton Sucharow LLP  
140 Broadway  
New York, NY 10005  
Phone: (212) 907-0792  
Fax: (212) 818-0477  
Email: mgoldman@labaton.com

is admitted to practice pro hac vice as counsel for Lead Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.com](http://nysd.uscourts.com). Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: \_\_\_\_\_  
New York, New York

\_\_\_\_\_  
Hon. Denny Chin

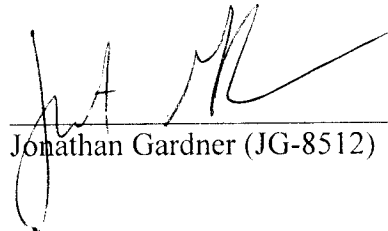
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE GPC BIOTECH AG SECURITIES	:	Civil Action No.: 1:07-cv-06728 (DC)
LITIGATION	:	
	:	
_____	X	

**CERTIFICATE OF SERVICE**

I, Jonathan Gardner, hereby certify that on this 12th day of September 2008, I caused true and correct copies of the Motion to Admit Counsel Pro Hac Vice to be served upon parties on the attached service list via U.S. mail.

Dated: September 12, 2008

  
\_\_\_\_\_  
Jonathan Gardner (JG-8512)

**SERVICE LIST**

**Counsel for Defendants:**

Bernard J. Garbutt  
Morgan, Lewis & Bockius LLP  
101 Park Avenue  
New York, NY 10178

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William P. Quinn  
Karen Pieslak Pohlmann  
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1701 Market Street  
Philadelphia, PA 19103

*Attorneys for Defendants GPC Biotech AG,  
Bernd R. Seizinger, Mirko Scherer, Elmar  
Maier and Sebastian Meier-Ewert*